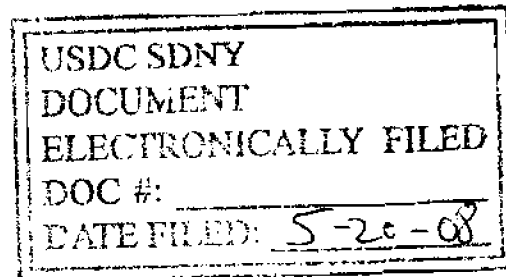


*Handwritten signature: KLEINBERG*

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
IN RE: :  
Fosamax Products Liability Litigation : 1:06-md-1789 (JFK)  
-----X  
This Document Relates to: :  
Sandra Green :  
v. Merck & Co., Inc. & Docs 1-25 inclusive :  
Case No: 1:07-cv-07612-JFK :  
-----X

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED by and between

Plaintiff Sandra Green and Defendant Merck & Co., Inc., ("Merck") through their  
respective undersigned counsel, as follows:


1. This case having been resolved upon the agreement of Plaintiff to  
voluntarily dismiss with prejudice her claims against Merck in the above-captioned case  
and the agreement of Merck not to seek from Plaintiff its fees and costs, this case is  
hereby dismissed with prejudice pursuant to Fed. R. Civ. P. 41.
2. Each party is to bear its own costs and attorneys' fees.

Dated: April 30, 2008

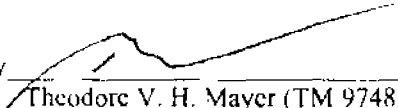
ARNOLD LAW FIRM

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By

  
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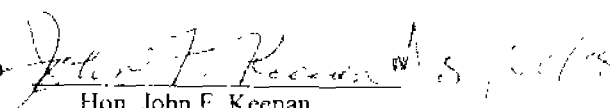
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*Attorneys for Plaintiff*

*Attorneys for Defendant Merck & Co, Inc.*

SO ORDERED

  
Hon. John F. Keenan